

-Remarks-

Amendment

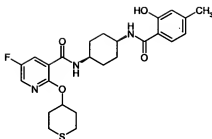
Entry of the above amendment is respectfully requested. Applicants have amended Claims 1, 3, 5, 8, 10 and 21 and canceled Claims 13 - 20 and 22 - 31. New Claims 32 - 39 have been added. Claim 1 was amended to remove the term "heteroaryl" therefrom to conform that claim to the elected Group. Claims 3, 5 and 8 were amended to remove the heteroaryl radicals listed therein and thus conform those claims to the elected Group. Claim 10 was amended to allow R¹ to retain its definition as set forth in Claim 1. Claim 21 was amended to define the elements Z and R². Support for the amendment of Claim 21 is in the specification at page 3, lines 11 - 17 and in Scheme A, step b at pages 8 and 9 and in the text accompanying Scheme A, at page 9, lines 6 and 7, wherein it is stated that Z and R² are defined as set forth above, i.e., in the definition of the compounds of Formula I. Support for Claims 32 - 39 is in the specification at page 28, line 14 through page 29, line 25. Support for Claim 32 is also in the specification at page 2, lines 14 - 15. Support for Claim 33 is also in the specification at page 32, lines 31 - 34. All amendments and cancellations have been made without waiver or prejudice. Applicants reserve the right to file divisional applications directed to any nonelected subject matter of this application. Applicants submit that no new matter is added by this amendment.

-Restriction Requirement-

Restriction of the instant application to one of ten Groups as set forth in the Office Action has been required. The Groups are not reproduced herein.

Applicants hereby elect the invention of Group I, directed to compounds of Formula I wherein R² is non-heteroaryl.

Applicants note that the election of a single species was not required with the election of Group I. However, to promote compact prosecution of these claims, Applicants elect the compound of claim 11, which is the compound of Formula I wherein R¹ is fluoro, Z is carbonyl and R² is 2-hydroxy-4-methyl-phenyl, e.g.,



The elected species reads on all pending claims.

Applicants have been required, upon election of Group I, to elect one process of preparing and one method of using, i.e., a specific disease. Applicants hereby elect the process of claim 21, the only process claim remaining after amendment. Applicants further elect a method of treating chronic obstructive pulmonary disease (COPD). The elected method reads on all method claims, i.e., Claims 32 - 39.

Applicants respectfully request that Claims 32 - 39 all be examined herein since all of those claims are closely related in that they directed to methods of treating respiratory diseases.

-Conclusion-

Applicants, having responded to all points and concerns raised by the Examiner, believe this application to be in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted,

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